

PATENT Customer No. 22,852 Attorney Docket No. 5725.0795-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re A	Application of:)
Rober	to CAVAZZUTI et al.))
Applic	eation No.: 10/787,441) Group Art Unit: Not Yet Assigned
Filed:	February 27, 2004) Examiner: Not Yet Assigned
For:	METHOD OF MAKING A MASCARA COMPOSITION-COMPRISING POLYAMIDE POLYMER AND AT LEAST ONE SOLID SUBSTANCE HAVING A MELTING POINT OF 45°C OR GREATER (AS AMENDED)))))

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Office the documents listed on the attached IDS Form PTO/SB/08. This Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached, excluding any U.S. Patents, U.S. Patent Application Publications, and co-pending U.S. Patent Applications which are available in the Image File Wrapper System. Applicants have not included a copy of copending Application Nos. 10/993,430, 10/993,431, and 10/990,475 because they are

identical to their parent applications, copies of which are available in the Image File Wrapper System.

Further to the Notification of Pending Litigation filed July 23, 2004, Applicants submit two additional documents from the on-going litigation *L'Oreal S.A., et al. v. Estee Lauder Companies, Inc., et al.*, Civil Action No. 04-1660 (D.N.J.). The first document is a copy of the court docket. The second document is a copy of Estee Lauder's Response to Plaintiffs' First Set of Interrogatories (Nos. 1-6). Both of these documents are enclosed with this Supplemental Information Disclosure Statement and listed on the IDS Form PTO/SB/08.

As explained in Applicants' September 17, 2004, Information Disclosure Statement, the United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003) that an "adverse decision" by another examiner may meet the materiality standard under the amended Rule 56, and thus, Applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants are not representing that the office actions in the co-pending applications are material to the present application and are not admitting that any of the other claims are substantially similar, out of an abundance of caution, Applicants have listed substantive office actions from co-pending applications on the attached IDS Form PTO/SB/08 and have enclosed copies of the documents as well.

Applicants' representatives understand from the Examiner in other related copending applications that the Examiner considered references cited in the IDS Forms PTO/SB/08 filed, but that she had crossed through some of the citations and did not initial the entries to avoid the printing of the those documents on the face of any patent granted there from. In light of that Examiner's representations regarding the crossing-out of references in the related co-pending applications, Applicants will consider any entries crossed through by this Examiner as having been properly submitted and considered by the Examiner, <u>unless the Examiner specifically states otherwise in the papers returning the form</u>.

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Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With regard to the non-English language document, Applicants note the following:

1. <u>JP 50/58242</u> – An abstract of the disclosure of this document can be found in the English language Derwent Abstract for JP 78 043577, which is submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Application No. 10/787,441 Attorney Docket No. 5725.0795-02

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: March 18, 2005

Michelle E. O'Brien Reg. No. 46,203

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	31
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	Complete if Known	1
Application Number	10/787,441	MAR 1 8 2005
Filing Date	February 27, 2004	A ST
First Named Inventor	Roberto CAVAZZUT	et al.
Art Unit	1615	Ex. wat
Examiner Name	J. VENKAT	ADEMA
Attorney Docket Number	05725.0795-02000	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					TIONS
Examiner Initials	Cite No.	Document Number Number-Kind Code (if known)	Issue or Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
		2,379,413	7/3/1945	Bradley	Figures Appear
		2,450,940	10/12/1948	Cowan et al.	
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		2,662,068	12/8/1953	Floyd	
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		2,890,097	6/9/1959	Coe	
		2,962,461	11/29/1960	Toussaint et al.	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

31

Sheet	2	of	

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Attorney Docket Number	05725.0795-02000			

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Initials	No.	Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	3	of	31

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

31

Sheet 4 of

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
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Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

		U.S. PATENTS	AND PUBLISHE	D U.S. PATENT APPLICAT	TIONS
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		5,628,029	12/7/1993	Demangeon et al.	3
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Examiner	Date	
Signature	Considered	_

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	5	of	31

Complete if Known				
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Examiner Name	J. VENKAT			
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Examiner	Date	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	6	of	31

Complete if Known				
Application Number	10/787,441			
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First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
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Initials	No.	Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	7	of	31

Complete if Known					
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Examiner	Date	
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Initials	No.	Number-Kind Code (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
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Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	9	of	31

Complete if Known						
Application Number 10/787,441						
Filing Date	February 27, 2004					
First Named Inventor	Roberto CAVAZZUTI et al.					
Art Unit 1615						
Examiner Name J. VENKAT						
Attorney Docket Number	05725.0795-02000					

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Examiner	Date	
Signature	 Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	10	of	31

Complete if Known				
Application Number 10/787,441				
Filing Date February 27, 2004				
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Art Unit 1615				
Examiner Name J. VENKAT				
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Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	11	of	31

Complete if Known				
Application Number 10/787,441				
Filing Date	February 27, 2004			
First Named Inventor Roberto CAVAZZUTI et al.				
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number 05725.0795-02000				

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Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	12	of	

С	Complete if Known				
Application Number	10/787,441				
Filing Date	February 27, 2004				
First Named Inventor	Roberto CAVAZZUTI et al.				
Art Unit	1615				
Examiner Name	J. VENKAT				
Attorney Docket Number	05725.0795-02000				

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Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	13	of	31
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Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
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Examiner	Date	·
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	14	of	31

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.	_		
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Examiner Name	J. VENKAT			
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Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 15 of 31

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.	***************************************		
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

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Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(out as many another as necessary)					
Sheet	16	of	31		

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.			
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Examiner Name	J. VENKAT			
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Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

31

Sheet 17 of

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

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Examiner	·	Date	
Signature		Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

		*** ***	
Sheet	18	of	31
	· ·		

C	omplete if Known	
Application Number	10/787,441	
Filing Date	February 27, 2004	
First Named Inventor	Roberto CAVAZZUTI et al.	
Art Unit	1615	
Examiner Name	J. VENKAT	
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	···	Co-Pending Application No. 10/182,830; Attorney Docket No. 05725.0795-01 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: August 2, 2002	
		Co-Pending Application No. 10/198,931, Attorney Docket No. 5725.0896-00-000 Title: COMPOSITIONS COMPRISING AT LEAST ONE HETEROPOLYMER AND FIBERS, AND METHODS OF USING THE SAME U.S. Filing Date: July 22, 2002	
		Co-Pending Application No. 10/203,018; Attorney Docket No. 05725.0816-01 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: August 5, 2002	
		Co-Pending Application No. 10/203,254; Attorney Docket No. 05725.0817-01 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME U.S. Filing Date: August 7, 2002	
		Co-Pending Application No. 10/203,374, Attorney Docket No. 6028.0019-00-000 Title: METHOD FOR MAKING A COLOURED MAKE-UP COSMETIC COMPOSITION WITH CONTROLLED TRANSMITTANCE U.S. Filing Date: August 9, 2002	
		Co-Pending Application No. 10/203,375, Attorney Docket No. 6028.0018-00-000 Title: TRANSPARENT OR TRANSLUCENT COLORED COSMETIC COMPOSITION U.S. Filing Date: August 9, 2002	
		Co-Pending Application No. 10/312,083, Attorney Docket No. 5725.1187-00-000 Title: SOLID EMULSION CONTAINING A LIQUID FATTY PHASE STRUCTURED WITH A POLYMER U.S. Filing Date: December 23, 2002	

Examiner	Date	
Signature	 Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(ose as many sheets as necessary)					
heet	19	of	31		

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Co-Pending Application No. 10/413,217, Attorney Docket No. 5725.0895-01000 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: April 15, 2003	
		Co-Pending Application No. 10/450,108, Attorney Docket No. 5725.1198-00-000 Title: COSMETIC COMPOSITION COMPRISING A POLYMER AND FIBRES U.S. Filing Date: June 11, 2003	
		Co-Pending Application No. 10/459,636, Attorney Docket No. 5725.1336-00-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: June 12, 2003	
		Co-Pending Application No. 10/466,166, Attorney Docket No. 5725.1228-00-000 Title: COSMETIC COMPOSITION COMPRISING A MIXTURE OF POLYMERS U.S. Filing Date: July 14, 2003	
		Co-Pending Application No. 10/618,315, Attorney Docket No. 5725.1337-00-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: July 11, 2003	
		Co-Pending Application No. 10/699,780, Attorney Docket No. 5725.0895-02 Title: METHODS OF DISPERSING AT LEAST ONE COLORING AGENT USING AT LEAST ONE HETEROPOLYMER U.S. Filing Date: November 4, 2003	
		Co-Pending Application No. 10/746,612, Attorney Docket No. 5725.1338-01-000 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT U.S. Filing Date: December 22, 2003	
		Co-Pending Application No. 10/747,412, Attorney Docket No. 5725.1338-02-000 Title: COSMETIC EMULSIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE SUNSCREEN AND METHODS OF USING THE SAME U.S. Filing Date: December 22, 2003	
		Co-Pending Application No. 10/787,440, Attorney Docket No. 5725.0816-02-000 Title: COMPOSTITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE U.S. Filing Date: February 27, 2004	
		Co-Pending Application No. 10/787,441, Attorney Docket No. 5725.0795-02-000 Title: COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME U.S. Filing Date: February 27, 2004	
		Co-Pending Application No. 10/918,579, Attorney Docket No. 05725.0808-02 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OILSOLUBLE ESTERS AND METHODS OF USING SAME U.S. Filing Date: August 16, 2004.	
		Co-Pending Application No. 10/933,430, Attorney Docket No. 05725.1003-01 Title: COSMETIC COMPOSITION COMPRISING A POLYMER BLEND U.S. Filing Date: November 22, 2004	

Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	20	of	

Complete if Known				
Application Number	10/787,441			
Filing Date	February 27, 2004			
First Named Inventor	Roberto CAVAZZUTI et al.			
Art Unit	1615			
Examiner Name	J. VENKAT			
Attorney Docket Number	05725.0795-02000			

		NON PATENT LITERATURE DOCUMENTS	
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		Co-Pending Application No. 10/933,431, Attorney Docket No. 05725.0932-01 Title: A TRANSFER-FREE COMPOSITION STRUCTURED IN RIGID FORM BY A POLYMER U.S. Filing Date: November 22, 2004	
		Co-Pending Application No. 10/990,475, Attorney Docket No. 05725.1004-01 Title: USE OF A POLYMER FOR OBTAINING AN EXPRESS MAKE-UP OF KERATIN MATERIALS U.S. Filing Date: November 18, 2004	
		Co-Pending Application No. 11/019,382, Attorney Docket No. 05725.1378 Title: COSMETIC COMPOSITION COMPRISING TWO DIFFERENT HETERO POLYMERS AND METHOD OF USING SAME U.S. Filing Date: December 23, 2004	
		English language abstract of JP 53/043577 from Patent Abstracts of Japan	
-		English language abstract of JP 56/123909 from Patent Abstracts of Japan	
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		English language DERWENT abstract of EP 0 847 752 A1	
		English language DERWENT abstract of EP 0 879 592 A2	
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Examiner			Date		
Signature			Considered		
	 	 			

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet	21	of	31

C	omplete if Known	
Application Number	10/787,441	
Filing Date	February 27, 2004	
First Named Inventor	Roberto CAVAZZUTI et al.	
Art Unit	1615	*
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		English language DERWENT abstract of EP 0 887 073 A1	
		English language DERWENT abstract of EP 0 923 928 A1	
		English language DERWENT abstract of EP 0 925 780 A1	
		English language DERWENT abstract of EP 0 930 058 B1	
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		English language DERWENT abstract of FR 2 232 303	
		English language DERWENT abstract of FR 2 674 126	
		English language DERWENT abstract of FR 2 785 179	
		English language DERWENT abstract of FR 2 796 270	
		English language DERWENT abstract of FR 2 796 271	

Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

heet	22	of	

С	Complete if Known		
Application Number	10/787,441		
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		English language DERWENT abstract of FR 2 796 272	
		English language DERWENT abstract of FR 2 796 273	
		English language DERWENT abstract of FR 2 796 276	
		English language DERWENT abstract of FR 2 802 806	
		English language DERWENT abstract of FR 2 804 017	
		English language DERWENT abstract of FR 2 804 018	
		English language DERWENT abstract of FR 2 810 562	
		English language DERWENT abstract of FR 2 811 225	
		English language DERWENT abstract of FR 2 811 552	
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		English language DERWENT abstract of FR 2 817 740	
		English language DERWENT abstract of FR 2 817 743	
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	-	English language DERWENT abstract of JP 09/255560	
		English language DERWENT abstract of JP 10/007527	
		English language DERWENT abstract of JP 10/120903	
		English language DERWENT abstract of JP 10/212213	
		English language DERWENT abstract of JP 10/259344	
		English language DERWENT abstract of JP 11/106216	
		English language DERWENT abstract of JP 11/335228	
		English language DERWENT abstract of JP 11/335242	
		English language DERWENT abstract of JP 11/335254	
·····		English language DERWENT abstract of JP 2/127568	

Examiner	Date	
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	23	of	31

Complete if Known		
Application Number	10/787,441	
Filing Date	February 27, 2004	
First Named Inventor	Roberto CAVAZZUTI et al.	
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	V-1	English language DERWENT abstract of JP 2000038314 A	
	-	English language DERWENT abstract of JP 2000038316 A and JP 2000038317 A	
		English language DERWENT abstract of JP 2000038321 A	
		English language DERWENT abstract of JP 2000086427 A	
		English language DERWENT abstract of JP 2000086429 A	
		English language DERWENT abstract of JP 2000086438 A	
		English language DERWENT abstract of JP 2216279	
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		English language DERWENT abstract of JP 62061911	·
		English language DERWENT abstract of JP 7179795	
		English language DERWENT abstract of JP 7267827	
		English language DERWENT abstract of JP 8225316	
		English language DERWENT abstract of JP 920631	
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		English language DERWENT abstract of WO 01/97773	
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		English language DERWENT abstract of WO 02/056848	
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		English language DERWENT abstract of WO 02/47629	
		English language DERWENT abstract of WO 02/47630	
		English language DERWENT abstract of WO 86/04916	
		Estee Lauder MagnaScopic Maximum Volume mascara product packaging, believed to have first been sold in 2003	
		Estee Lauder's Response to Plaintiff's First Set of Interrogatories (Nos. 1-6), dated September 27, 2004, in the on-going litigation L'Oreal S.A., et al. v. The Estee Lauder Companies Inc., et al., Civil Action No. 04-1660 (D.N.J.)	
		French Search Report in FR 0000920 (priority document for PCT/FR01/00229, which is the priority document for Atty. Docket No. 5725.0932), dated November 10, 2000	
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Examiner Signature		Date Considered	

NON PATENT LITERATURE DOCUMENTS

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

	1		
Sheet	24	of	31
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Complete if Known			
Application Number	10/787,441		
Filing Date	February 27, 2004		
First Named Inventor	Roberto CAVAZZUTI et al.		
Art Unit	1615		
Examiner Name	J. VENKAT		
Attorney Docket Number	05725.0795-02000		

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		French Search Report in FR 0008084 (priority document for Atty. Docket No. 5725.1187), dated March 28, 2001	
		French Search Report in FR 0008913 (priority document for Atty. Docket No. 5725.0920), dated March 20, 2001	
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		French Search Report in FR 0016163 (priority document for Atty. Docket No. 5725.1005), dated August 1, 2001	
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Examiner	Date	
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Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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		which is the priority document for Atty. Docket No. 5725.1003), dated April 15, 2002	
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Examiner	Date	1
Signature	Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	26	of	
			4

Complete if Known						
Application Number	10/787,441					
Filing Date	February 27, 2004					
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		Kenji Hanabusa et al., Easy Preparation and Prominent Gelation of New Gelator Based on L-Lysine, 2000 Chem. Letters, 1070-1071	
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		Office Action in co-pending Application No. 09/685,577 (Attorney Docket No. 05725.0656-01) dated August 11, 2004 (Ex. Venkat)	
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		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated August 11, 2004 (Ex. Pryor)	
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-		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated May 7, 2003 (Ex. Pryor)	

Examiner	Date	
Signature	 Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	27	of	

Complete if Known						
Application Number	10/787,441					
Filing Date	February 27, 2004					
First Named Inventor	Roberto CAVAZZUTI et al.					
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		Office Action in co-pending Application No. 09/685,578 (Attorney Docket No. 05725.0659-01) dated November 19, 2003 (Ex. Pryor)	
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		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated July 19, 2002 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,896 (Attorney Docket No. 05725.0806) dated November 18, 2003 (Ex. Rajguru)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 15, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated April 23, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated August 29, 2002 (Ex. Berman)	
		Office Action in co-pending Application No. 09/733,897 (Attorney Docket No. 05725.0809) dated May 6, 2004 (Ex. Yu)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated April 29, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated August 28, 2002 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,898 (Attorney Docket No. 05725.0808) dated December 23, 2003 (Ex. Yoon)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated April 9, 2003 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,899 (Attorney Docket No. 05725.0594) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated April 7, 2004 (Ex. Lamm)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated December 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 09/733,900 (Attorney Docket No. 05725.0595) dated July 16, 2003 (Ex. Lamm)	
	į	Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated August 13, 2003 (Ex. Howard)	

Examiner	Date	
Signature	Considered	·

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Application Number	10/787,441					
Filing Date	February 27, 2004					
First Named Inventor	Roberto CAVAZZUTI et al.					
Art Unit	1615					
Examiner Name	J. VENKAT					
Attorney Docket Number	05725.0795-02000					

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated July 16, 2002 (Ex. Howard)	_
		Office Action in co-pending Application No. 09/749,036 (Attorney Docket No. 05725.0832) dated May 5, 2004 (Ex. Howard)	
		Office Action in co-pending Application No. 09/899,909 (Attorney Docket No. 05725.0920) dated December 18, 2001 (Ex. Dodson)	
		Office Action in co-pending Application No. 09/937,314 (Attorney Docket No. 05725.0932) dated May 19, 2004 (Ex. Venkat)	
	_	Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated August 11, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 09/971,028 (Attorney Docket No. 05725.0895-00) dated March 26, 2003 (Ex. Wang)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated November 20, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,029 (Attorney Docket No. 05725.1003) dated September 08, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated January 14, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated May 14, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,051 (Attorney Docket No. 05725.1004) dated October 3, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005) dated November 6, 2003 (Ex. Wells)	
		Office Action in co-pending Application No. 10/012,052 (Attorney Docket No. 05725.1005-00) dated August 9, 2004 (Ex. Wells)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated December 30, 2003 (Ex. Venkat)	
	· · · · · · · · · · · · · · · · · · ·	Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated June 12, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated November 5, 2002 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/046,568 (Attorney Docket No. 05725.1018) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020) dated December 11, 2003 (Ex. Venkat)	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)
29 of

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		Office Action in co-pending Application No. 10/047,987 (Attorney Docket No. 05725.1020-00) dated September 7, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/182,830 (Attorney Docket No. 05725.1073-00) dated August 24, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896) dated December 18, 2003 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/198,931 (Attorney Docket No. 05725.0896-00) dated September 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/203,018 (Attorney Docket No. 05725.0816-01) dated May 19, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/312,083 (Attorney Docket No. 05725.1187) dated October 1, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/413,217 (Attorney Docket No. 05725.0895-01) dated September 9, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/699,780 (Attorney Docket No. 05725.0895-02) dated September 22, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/746,612 (Attorney Docket No. 05715.1338-01) dated September 20, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/787,440 (Attorney Docket No. 05725.0816-02) dated August 24, 2004 (Ex. Venkat)	
-		Origins Full StoryTM Lush lash mascara product packaging, believed to have first been sold in 2003	
		P. Terech, "Low-Molecular Weight Organogelators," in Specialist Surfactants, ch. 8, pp. 208-268 (I.D. Robb, ed., 1997)	
		Partial International Search Report in PCT/US 01/47497 (Atty. Docket No. 5725.0808-0304), dated November 15, 2002	
_		PCT Application No. PCT/FR01/03962; Attorney Docket No. 5725.0816-01-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03963; Attorney Docket No. 5725.0817-01-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date: December 12, 2001	
		PCT Application No. PCT/FR01/03965; Attorney Docket No. 5725.0795-01-304 Title COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2001	

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Signature		Considered	

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet	;	30	of	31

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		PCT Application No. PCT/IB00/02000; Attorney Docket No. 5725.0816-0304 Title: COMPOSITION COMPRISING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE INERT FILLER AND METHODS FOR USE Inventors: Véronique FERRARI et al. International Filing Date: December 12,2000		
		PCT Application No. PCT/IB00/02006; Attorney Docket No. 5725.0817-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETEROPOLYMER AND AT LEAST ONE GELLING AGENT AND METHODS OF USING THE SAME Inventor: Véronique FERRARI International Filing Date:December 12, 2000		
		PCT Application No. PCT/IB01/02780; Attorney Docket No. 5725.0819-01-304 Title:COMPOSITION STRUCTURED WITH A POLYMER CONTAINING A HETEROATOM ORGANOGELATOR International Filing Date: December 12, 2001		
		PCT Application No. PCT/US00/33596; Attorney Docket No. 5725.0795-0304 Title COSMETIC COMPOSITION COMPRISING HETERO POLYMERS AND A SOLID SUBSTANCE AND METHOD OF USING SAME Inventors: Roberto CAVAZZUTI et al. International Filing Date: December 12, 2000		
		PCT Application No. PCT/US01/47454; Attorney Docket No. 5725.0806-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE POLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47459; Attorney Docket No. 5725.0594-0304 Title: COSMETIC COMPOSITIONS CONTAINING AT LEAST ONE HETERO POLYMER AND AT LEAST ONE FILM-FORMING SILICONE RESIN AND METHODS OF USING Inventors: Mohamed KANJI et al. U.S. Filing Date:December 12, 2001		
		PCT Application No. PCT/US01/47496; Attorney Docket No. 5725.0809-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47497; Attorney Docket No. 5725.0808-0304 Title: COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE ESTERS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		
		PCT Application No. PCT/US01/47499; Attorney Docket No. 5725.0595-00-304 Title: COSMETIC COMPOSITIONS CONTAINING HETEROPOLYMERS AND OIL-SOLUBLE CATIONIC SURFACTANTS AND METHODS OF USING SAME Inventors: Carlos PINZON and Paul THAU U.S. Filing Date: December 12, 2001		

Examiner	Date	
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		PCT Application No. PCT/US03/41618; Attorney Docket No. 5725.1338-00-304 Title: COSMETIC COMPOSITIONS COMPRISING A STRUCTURING AGENT, SILICONE POWDER AND SWELLING AGENT Inventors: Shao Xiang LU, Terry VAN LIEW, Nathalie GEFFROY-HYLAND International Filing Date: December 22, 2003		
		PCT Application No. PCT/US04/01071; Attorney Docket No. 5725.1335-00-304 Title: LONG WEAR COSMETIC COMPOSITION Inventor: Balanda ATIS International Filing Date: January 16, 2004		
		Toshimi Shimizu et al., Stereochemical Effect of Even-Odd Connecting Links on Supramolecular Assemblies Made of 1-Glucosamide Bolaamphiphiles, J. Am Chem. Soc. 1997, 119, 2812-2818		
		U.S. District Court for the District of New Jersey Civil Docket for L'Oreal S.A. et al. v. Estee Lauder Companies, Inc., et al., Civ. No. 04-1660 (HAA) (filed April 4, 2004) (retrieved January 2, 2005)		
		Xuzhong Luo et al., Self-assembled organogels formed by monoalkyl derivatives of oxamide, 2000 Chem. Commun. 2091-92		
		Yasuda et al., Novel Low-molecular-weight Organic Gels: N,N', N"- Tristearyltrimesamide/Organic Solvent System," Chemistry Letters, pp. 575-576, 1996, the month of publication is not available		

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Examiner	Date	
Signature	Considered	_ [